

**HOMELAND SECURITY AND EMERGENCY
MANAGEMENT DEPARTMENT[605]**

Notice of Intended Action

**Proposing rule making related to hazard mitigation plan and disaster recovery plan and
providing an opportunity for public comment**

The Department of Homeland Security and Emergency Management hereby proposes to amend Chapter 9, "Iowa Comprehensive Plan," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 17A.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 29C.8.

Purpose and Summary

This proposed rule making will formally adopt the Iowa Hazard Mitigation Plan and the Iowa Disaster Recovery Plan. Both plans are reviewed on a regular basis and, when needed, updated versions of the plans are adopted by the Department. Both plans are in the final steps of their review and public comment period, and the Department has targeted July 26, 2018, to formally adopt these updated plans. Additionally, in accordance with federal requirements, each plan will now be reviewed and amended as appropriate at a minimum of every five years.

Fiscal Impact

This rule making has a fiscal impact to the State of Iowa. During times of major disaster as declared by the President, these plans are key to allowing federal recovery and mitigation funds to flow into the state. While the timing and scale of disasters cannot be predicted, these plans provide detail on how efforts and funding in the state will be applied to provide an effective recovery for Iowa. Since 1990, these plans have enabled \$2.25 billion in federal recovery and mitigation funds to flow into Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on July 10, 2018. Comments should be directed to:

John Benson
Department of Homeland Security and Emergency Management
7900 Hickman Road, Suite 500
Windsor Heights, Iowa 50265
Email: john.benson@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

July 10, 2018	Cyclones Conference Room, Suite 500
11 a.m.	7900 Hickman Road
	Windsor Heights, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 605—9.3(29C) as follows:

605—9.3(29C) Part B: Iowa Hazard Mitigation Plan. The Part B: Iowa Hazard Mitigation Plan is developed in accordance with Iowa Code section 29C.8, and has been adopted on ~~September 17, 2013~~ July 26, 2018, published, and maintained by the department. Part B details the state government goals, objectives, and strategies to mitigate a wide range of natural, technological or human-caused disasters in accordance with Section 322 of the Stafford Act, 42 U.S.C. 5165.

1. to 3. No change.

4. The department updates the plan by amendments promulgated by rule in accordance with Iowa Code chapter 17A and distributes amendments to all plan holders on the department distribution list. Part B shall be reviewed and amended as appropriate at a minimum of every ~~three~~ five years.

5. No change.

ITEM 2. Amend rule 605—9.4(29C) as follows:

605—9.4(29C) Part C: Iowa Disaster Recovery Plan. The Part C: Iowa Disaster Recovery Plan is developed in accordance with Iowa Code section 29C.8, and has been adopted on ~~March 20, 2008~~ July 26, 2018, published, and maintained by the department. Part C details the state government goals, objectives, and strategies to recover from a wide range of natural, technological, or human-caused disasters.

1. to 3. No change.

4. The department updates the plan by amendments promulgated by rule in accordance with Iowa Code chapter 17A and distributes amendments to all plan holders on the department distribution list. Part C shall be reviewed and amended as appropriate at a minimum of every ~~three~~ five years.

5. No change.